
Public Utilities Commission of the State of California
William Ahern, Executive Director

Headquarters

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Website: <http://www.cpuc.ca.gov>

Online Calendar Archive: http://www.cpuc.ca.gov/daily_calendar_archive/

Daily Calendar
Friday, December 19, 2003

- Commission Meetings
- Notices
- Subscription Information (Daily Calendar and Agenda)
- Commissioner Office Hours
- Public Meetings and Workshops
- Notice of Draft Resolutions (PU Code § 311(g))
- New Filings
- Petitions for Modification of Applications for Rehearing
- Draft Decisions/Proposed Decisions/Alternates/Presiding Officer's Decisions/Arbitrator's Reports/
- Advice Letter Filings
- Miscellaneous Transportation Items
- Miscellaneous Telecommunication Matters
- Adjournments/Resettings/Hearings Concluded
- Removals from Calendar
- New Settings
- Law and Motion Hearings
- Hearings
- Notice of Denial of Request for Ex Parte Meeting
- Notice of All-Party Meetings (PU Code §1701.3(c))
- Notice of Ex Parte Communications

Resolution ALJ 176-3125 regarding ratification of preliminary determinations of category and notice of assignment is included in this calendar.



The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities.

The CPUC encourages all Californians to participate in its meetings, hearings, workshops, and proceedings. We try to hold our public meetings only in places that are wheelchair accessible and which can accommodate specialized equipment and other services useful to people with disabilities. Please see the notice of the meeting you wish to attend for more specifics.

If you plan to attend and need specialized accommodations for a particular meeting that are not listed in the notice, request them from the Public Advisor's Office at least three business days in advance of the meeting. Contact the Public Advisor's Office by any one of the following:

E-mail: public.advisor@cpuc.ca.gov
toll-free: 1-866-849-8390
Voice: 415-703-2074

FAX: 415-355-5404 (Attn.: Public Advisor)
TTY: 1-866-836-7825 (toll-free)
1-415-703-5282

REGULAR COMMISSION BUSINESS MEETINGS

January 8, 2004	10 am	San Francisco
January 22, 2004	10 am	San Francisco
February 11, 2004	10 am	San Francisco

COMMISSION RATESETTING DELIBERATIVE MEETINGS

(Not Open to the Public)

Ratesetting Deliberative Meeting dates are reserved as noted but will only be held if there are ratesetting matters to be considered.

January 5, 2004	1:30 pm	San Francisco
January 16, 2004	1:30 pm	San Francisco
February 6, 2004	1:30 pm	San Francisco

OTHER COMMISSION MEETINGS**NONE**

NOTICES**Delivery of Formal Pleadings for Filing**

Unless otherwise directed, all courier-delivered documents submitted for filing as part of the formal record in a proceeding should be hand-carried directly to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue in San Francisco; Suite 500, 320 West 4th Street in Los Angeles; or Room 4006, 1350 Front Street in San Diego. All documents sent through the mail for formal filing should be addressed ONLY to the Commission's Docket Office, Room 2001, 505 Van Ness Avenue, San Francisco, CA 94102.

Charge for Commission Documents

To purchase Commission documents, there is a charge of 20 cents a printed page (postage prepaid) with a minimum purchase of \$2.00.

Commission Resources Available for Rental

The auditorium, hearing rooms and training room at the headquarters of the California Public Utilities Commission, located at 505 Van Ness Avenue, San Francisco, are available for rent. Further information about requirements and fees can be obtained by contacting Colette Kondo at (415) 703-1401.

SUBSCRIPTION INFORMATION**Subscription to Daily Calendar, Commission Meeting Agenda, and Draft Agenda Items**

For information contact: California Public Utilities Commission
Attention: Poly Arca
505 Van Ness Avenue, Room 1003
San Francisco, CA 94102
Phone: (415) 703-1798
E-mail: pol@cpuc.ca.gov

COMMISSIONER OFFICE HOURS

NONE

PUBLIC MEETING & WORKSHOPS

NONE

**NOTICE OF DRAFT RESOLUTIONS
(Pursuant to PU Code § 311(g))**

Draft Resolution Increasing Household Goods Carrier Maximum Rates Available

A draft resolution (TL-19036) of the Consumer Protection and Safety Division that increases the household goods carrier maximum rates contained in Maximum Rate Tariff 4 will be on the January 8, 2004 Commission meeting agenda. It is now available for public review and comment. For details on how to obtain a copy of the draft and file comments on it, refer to the notice that was published on this matter in the December 4, 2003 Daily Calendar. It is available through the Daily Calendar Archives on the Commission's web site:

<http://www.cpuc.ca.gov/cyberdocs/Libraries/WEBPUB/Common/agSearchDsp.asp>

NEW FILINGS

- | | |
|----------|---|
| 12/9/03 | (ECP) C03-12-022 – Alvin O. Rogers vs. Verizon Wireless for an order that defendant refund the sum of at least \$794.54. |
| 12/15/03 | A00-06-010 - Pacific Gas and Electric Company, for an order under Public Utilities Code Section 851 approving the leases of certain public utility properties; Amendment to application filed in response to ALJ's ruling dated October 16, 2003. |
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PETITIONS FOR MODIFICATION AND APPLICATIONS FOR REHEARING

NONE

**DRAFT DECISIONS * PROPOSED DECISIONS * ALTERNATES * PRESIDING OFFICER'S DECISION *
ARBITRATOR'S REPORTS**

NONE

ADVICE LETTER FILINGS

To inquire about a filing, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

To protest a filing, mail the original letter/telegram to the Chief of the appropriate division (i.e., "Chief, [Energy, Telecommunications or Water] Division"), to be received no later than 20 days after the date the Advice Letter was

filed.

"Effective TBD" means that the date is to be determined by further Commission action. A date listed as "anticipated effective" may be subject to change. An Advice Letter Supplement is not a new filing, and there is no protest period unless indicated.

11/18/03	Telecom 2	PHONECO, LP, Initial local exchange tariff filing, including revisions requested in Decision 03-08-035. (effective TBD)
12/11/03	Telecom 82-A	BELL ATLANTIC COMM., INC. (DBA VERIZON), Supplements A.L.No.82 , makes numerous changes to services (effective TBD)
12/11/03	Telecom 70-A	NYNEX LONG DISTANCE COMPANY, Supplements A.L.No.70 , Makes numerous changes to services. (effective TBD)
12/12/03	Telecom 24426	PACIFIC BELL, Special Access SONET Ring service - minor tariff correction. (effective TBD)
12/12/03	Telecom 3	PHONECO, LP, Offers promotions; reduces monthly rates for certain features. (effective TBD)
12/12/03	Telecom 4	PHONECO, LP, Adds four features to the local service tariff. (effective TBD)
12/12/03	Telecom 10690	VERIZON CALIFORNIA, INC., ICB Contract (effective TBD)
12/12/03	Telecom 10692	VERIZON CALIFORNIA, INC., ICB Contract (effective TBD)
12/12/03	Telecom 10693	VERIZON CALIFORNIA, INC., ICB Contract - Customer Requests Confidentiality. (effective TBD)
12/12/03	Telecom 10694	VERIZON CALIFORNIA, INC., ICB contract (effective TBD)
12/15/03	Telecom 2826	AT&T COMMUNICATIONS OF CALIFORNIA, INC, Offers three promotions (effective TBD)
12/15/03	Telecom 2827	AT&T COMMUNICATIONS OF CALIFORNIA, INC, AT&T revises a rate in the tariff (effective TBD)
12/15/03	Telecom 24427	PACIFIC BELL, amendment 9 with Sage Telecom, Inc. (effective TBD)
12/15/03	Telecom 24428	PACIFIC BELL, Amendment No. 1 with DigitalNetPhone, LLC. (effective TBD)
12/15/03	Telecom 24429	PACIFIC BELL, Amendment No. 1 with FreedomStarr Communications d/b/a AmericanFone (effective TBD)
12/15/03	Telecom 24430	PACIFIC BELL, Amendment No. 1 with Competisys Corporation. (effective TBD)
12/15/03	Telecom 24431	PACIFIC BELL, Express contract for Zone 3 Usage Measurement, High Capacity (HICAP), Primary Rate Interface (PRI), PBX, Super Trunk (ST) and Digital Signal 3 (DS3) service. (effective TBD)
12/15/03	Telecom 24432	PACIFIC BELL, Poll Star - withdraw service (effective TBD)
12/15/03	Telecom 88	RCN TELECOM SERVICES, INC., rate decrease in bundled packages, new bundled packages (effective TBD)

12/15/03	Telecom 20	TMC COMMUNICATIONS (TRI-M COMMS INC.), Revised local usage rates and new Centrex bundled service in SBC service areas. (effective TBD)
12/15/03	Telecom 10695	VERIZON CALIFORNIA, INC., Express contract (effective TBD)
12/15/03	Telecom 10696	VERIZON CALIFORNIA, INC., Correction to application of EUCL (effective TBD)
12/15/03	Water 44-A	BASS LAKE WATER COMPANY, Supplements A.L.No.44 , Modify tariff Schedule No. 2, Annual Residential Flat Rate Service, to add 1-inch and 2-inch service rates to its existing schedule. (effective TBD)
12/16/03	Energy 2450E	PACIFIC GAS & ELECTRIC COMPANY, Construction of Pittsburg-Eastshore 230 kilovolt line reconductoring project in the City of San Ramon, Contra Costa and Alameda Counties (anticipated effective 01/25/04)
12/16/03	Energy 302E	SIERRA PACIFIC POWER COMPANY, Annual Trust Transfer Amount (TTA) True-Up Mechanism (anticipated effective 01/01/04)
12/16/03	Energy 1491E-G	SOUTHERN CALIFORNIA EDISON COMPANY, Supplements A.L.No.1491E , Semi-Annual Filing Regarding Service Provider Lists Pursuant to Affiliate Transaction Rule IV.C.2 (effective TBD)
12/16/03	Telecom 32	BROADWING COMMUNICATIONS, LLC, Broadwing Communications, LLC-Long Distance Tariff Revision (effective TBD)
12/16/03	Telecom 40	BROADWING TELECOMMUNICATIONS, INC., service change (effective TBD)
12/16/03	Telecom 269	CALAVERAS TELEPHONE COMPANY, CHANGE ULTS NEW SERVICE ORDER CHARGE AFFECTED BY GRC (effective TBD)
12/16/03	Telecom 210	MPOWER COMMUNICATIONS CORP., Adds a three digit decimal billion to the Measured usage Business Service (effective TBD)
12/16/03	Telecom 24433	PACIFIC BELL, Express contract for DDD-VPP, Local & Zones 1, 2, 3 Usage Measurement, Custom 8 (C8), Calling Card (CC), High Capacity (HICAP), Primary Rate Interface (PRI), PBX and Centrex (CTX) service. (effective TBD)
12/16/03	Telecom 24434	PACIFIC BELL, Special access- establish service intervals DS, DS3x3, DS3x12 (effective TBD)
12/16/03	Telecom 720	SPRINT COMMUNICATIONS COMPANY, L.P., Modify promotions. (effective TBD)
12/16/03	Telecom 721	SPRINT COMMUNICATIONS COMPANY, L.P., Modify SCS Promotions (effective TBD)
12/16/03	Telecom 10689-A	VERIZON CALIFORNIA, INC., Supplements A.L.No.10689 , CORRECT SCHEDULE A-2 MATERIAL INADVERTENTLY OMMITED (effective TBD)
12/17/03	Energy 3322G	SOUTHERN CALIFORNIA GAS COMPANY, Submission of Long-Term Storage Contract with the City of Burbank (anticipated effective 02/01/04)

12/17/03	Energy 3323G	SOUTHERN CALIFORNIA GAS COMPANY, Submission of Long-Term Storage Contract with Western Gas Resources (anticipated effective 02/01/04)
12/18/03	Water 159	GREAT OAKS WATER COMPANY, Compliance filing for a general rate increase in Application No. 02-11-048. (anticipated effective 12/23/03)

ADVICE LETTER SUSPENSIONS (Pursuant to M-4801, 04/19/01)

To inquire about a suspension, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028).

NONE

ADVICE LETTER PROTESTS

To inquire about a protest, call the Energy Division (703-1093), Telecommunications Division (703-1330) or Water Division (703-2028). To obtain a copy of the protest, please direct your request to the protestor.

NONE

**MISCELLANEOUS TRANSPORTATION ITEMS
Filings with Consumer Protection and Safety Division**

NONE

MISCELLANEOUS TELECOMMUNICATION MATTERS

Date Filed

Subject

November 5, 2003	Notice of filing of a letter request by Western Wireless to be designated as Eligible Telecommunications Carriers (ETCs) in certain parts of Imperial County for purposes of federal universal service support. Protests or comments should be made within 20 days from the date this notice first appear in this Daily Calendar and should be sent to Telecommunications Division, Hassan Mirza, 3 rd Floor, 505 Van Ness Avenue, San Francisco, CA 94102. To obtain a copy of this letter request, please contact Leon M. Bloomfield, Esq. at (510) 625-8250 or forward a request to Wilson & Bloomfield LLP, Attorney at Laws, 1901 Harrison Street, Suite 1630, Oakland, CA 94612. If you have any questions about this letter request, you may contact Hassan Mirza at 415-703-1638.
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TABLE OF SUBMISSION DATES FOR THE PRECEDING TWO WEEKS

12/12/03 **A.02-11-044** - In the Matter of the Application of SAN GABRIEL VALLEY WATER COMPANY (U337W) for Authority to Increase Rates Charged for Water Service in its Fontana Water Company Division to increase revenues by \$11,573,200 or 39.1% in 2003, \$3,078,400 or 7.3% in 2004, \$3,078,400 or 6.8% in 2005, and \$3,079,900 or 6.4% in 2006.
ALJ Patrick

12/12/03 **A.03-01-034** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to increase Rates for Water Service in its Palos Verdes District, and
ALJ Thorson **A.03-01-035** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Oroville District, and
 A.03-01-036 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Selma District, and
 A.03-01-037 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Dominguez District.

12/16/03 **A.03-03-029** - Application of San Diego Gas & Electric Company for Authority to Make Various
ALJ McVicar Electric Rate Design Changes, Close Certain Rates, and Revise Cost Allocation Among Customer Classes Effective January1, 2004. (U 902-E)

ADJOURNMENTS * RESETTINGS * HEARINGS CONCLUDED

ALJ Thorson **I.03-10-038** - Investigation on the Commission's Own Motion into the Operations and Practices of the Conlin-Strawberry Water Co. Inc. (U-177-W), and its Owner/Operator, Danny T. Conlin; Notice of Opportunity for Hearing; and Order to Show Cause Why the Commission Should Not Petition the Superior Court for a Receiver to Assume Possession and Operation of the Conlin-Strawberry Water Co. Inc. pursuant to the California Public Utilities Code Section 855,
Prehearing Conference held and concluded

REMOVALS FROM CALENDAR

NONE

NEW SETTINGS

1/29/04 **C.03-12-022 (ECP)** - Alvin O. Rogers, Complainant, vs. Verizon Wireless, Defendant,
1:00 p.m. **Department of General Services, Building & Property Management – Staff Room, 100 Paseo de**
ALJ Patrick **San Antonio, Room 106, San Jose, CA**

4/20/04 **C.03-10-030 (EH)** - U.S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-
9:30 a.m. 1002-C), Defendant,
ALJ Simon **Commission Courtroom, San Francisco**
Comr Brown

LAW AND MOTION

Law and Motion Hearings are held before Administrative Law Judge Sarah R. Thomas and Peter Allen at 10:00 a.m. in one of the Commission's San Francisco Office Hearing Rooms, unless otherwise noted. Law and Motion procedures are governed by Resolution ALJ 164. Copies of Resolution ALJ 164 are available from the Commission's Documents Desk (415) 703-1713 or from Central Files (415) 703-2045.

12/22/03 NONE SCHEDULED
10:00 a.m.

12/29/03 NONE SCHEDULED
10:00 a.m.

1/5/04 NONE SCHEDULED
10:00 a.m.

FINAL ORAL ARGUMENTS (FOA)

NONE

HEARINGS

Dates in parentheses following the word “also” are subject to change without notice. The assigned Commissioner’s name is listed next to the proceedings as matter of record; the assigned Commissioner may not be present at the hearing.

(PHC) = Prehearing Conference
(EH) = Evidentiary Hearing
(PPH) = Public Participation Hearing
(IAM) = Initial Arbitration Meeting
(M) = Mediation

(ECP) = Expedited Complaint Procedure
(OSC) = Order to Show Cause
(WS) = Workshop
(FPH) = Full Panel Hearing
(AH) = Arbitration Hearing

(CA) = Closing Argument
(LM) = Law & Motion
(OA) = Oral Argument

12/19/03 **C.02-11-011 (EH)** - Telscape Communications, Inc. (U-6589-C), Complainant, vs. Pacific Bell
9:30 a.m. Telephone Company (U-1001-C), Defendant,
ALJ Simon **Commission Courtroom, San Francisco**
Comr Brown

12/19/03 **A.03-10-057 (PHC)** - In the Matter of the Application of the SOUTHERN CALIFORNIA WATER
10:00 a.m. COMPANY (U 133 W) for an order authorizing it to increase rates for water service in 2004 in its Region
ALJ Vieth 1 Customer Service Areas by \$179,200 or 2.62% in the Arden-Cordova CSA; \$93,400 or 1.98% in the
Comr Peevey Bay Point CSA; and \$115,900 or 4.55% in the Ojai CSA; and various other relief,
Commission Courtroom, San Francisco

1/5/04 **I.00-11-001 (PHC)** - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding
2:00 p.m. the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those
ALJ TerKeurst Constraints, and Related Matters Affecting the Reliability of Electric Supply,
Comr Lynch **Commission Courtroom, San Francisco**

1/6/04 **R.03-03-017 (PHC)** - Order Instituting Rulemaking on the Commission’s own Motion to re-examine the
10:00 a.m. underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040,
ALJ O’Donnell and
Comr Brown **I.03-03-018** - Order Instituting Investigation on the Commission’s own Motion to re-examine the
underlying issues involved in the submetering discount for mobile home parks and to stay D.01-08-040,
and
C.00-01-017 - Robert Hambly, for Himself and, On Behalf of the Residents of Los Robles Mobilehome
Park, Complainant, vs. Hillsboro Properties, a California Limited Partnership, and the City of Novato,
Defendants,
Commission Courtroom, San Francisco

- 1/7/04**
9:00 a.m.
ALJ Fukutome
Comr Peevey
A.03-10-022 (Forecast Phase) (EH) - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,
Commission Courtroom, San Francisco
- 1/7/04**
10:00 a.m.
ALJ Thomas
Comr Wood
A.03-10-039 (AH) – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,
Commission Courtroom, San Francisco
(also January 8)
- 1/8/04**
1:00 p.m.
ALJ Allen
Comr Peevey
A.03-10-044 (PHC) - Application of Pacific Gas and Electric Company (U 39 M) for Authorization to Sell its Kern Facility Pursuant to Public Utilities Code Section 851 and Executive Order D-44-01,
Commission Courtroom, San Francisco
- 1/8/04**
1:30 p.m.
ALJ Grau
Comr Brown
R.03-09-029 (PHC) - Order Instituting Rulemaking Regarding Cost Responsibility Surcharges for County and Municipal Water Districts Which Generate Their Own Electricity Pursuant To SB 1755,
Commission Courtroom, San Francisco
- 1/9/04**
9:00 a.m.
ALJ Vieth
Comr Wood
C.03-09-027 (EH) - Angelica Garcia a.k.a. Angelica Medrano, Complainant, vs. Southern California Edison Company, Defendant,
Commission Courtroom, San Francisco
- 1/12/04**
10:00 a.m.
ALJ Terkeurst
Comr Lynch
A.02-09-043 (EH) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 E) for a Certificate of Public Convenience and Necessity Authorizing the Construction of the Jefferson-Martin 230 kV Transmission Project,
Commission Courtroom, San Francisco
(also January 13 - 16 and January 20 – 23) (*Note: January 20 at 10:00 a.m. and the remaining days at 9:00 a.m.*)
- 1/12/04**
10:00 a.m.
ALJ Fukutome
Comr Lynch
A.03-05-035 (EH) - In the Matter of the Application of SAN JOSE WATER COMPANY (U 168 W) for an Order authorizing it to increase rates charged for water service by \$25,793,000 or 18.20% in 2004; by \$5,434,000 or 3.24% in 2005; and by \$5,210,000 or 3.01% in 2006,
Commission Courtroom, San Francisco
(Also January 13 - 16)
- 1/12/04**
4:00 p.m. &
7:00 p.m.
ALJ Walker
Comr Brown
A.01-10-047 (PPH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,
Oxnard City Hall Council Chamber, 305 West 3rd Street, Oxnard, CA
- 1/13/04**
9:00 a.m.
ALJ Walker
Comr Brown
A.01-10-047 (EH) - In the Matter of the Application of the City of Oxnard for Authorization to construct Camino Del Sol, a public street, across the railroad tracks of the Union Pacific Railroad Company in the City of Oxnard, County of Ventura,
Oxnard City Hall Council Chamber, 305 West 3rd Street, Oxnard, CA
(also January 14 - 16)

- 1/13/04**
9:30 a.m.
ALJ Duda
Comr Peevey
R.93-04-003 (Verizon UNE Phase) (WS) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
I.93-04-002 - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,
San Francisco Civic Center Complex, 455 Golden Gate Avenue, Hearing Room 9, San Francisco, CA
(also January 14 - 15)
- 1/20/04**
10:00 a.m.
ALJ Allen
Comr Brown
Comr Lynch
A.00-11-038 (EH) - Application of Southern California Edison Company (U 338-E) for Authority to Institute a Rate Stabilization Plan with a Rate Increase and End of Rate Freeze Tariffs, and
A.00-11-056 - Emergency Application of Pacific Gas and Electric Company To Adopt a Rate Stabilization Plan, and
A.00-10-028 - Petition of THE UTILITY REFORM NETWORK for Modification of Resolution E-3527,
Commission Courtroom, San Francisco
(Also January 21 – 23 at 9:00 a.m.)
- 1/20/04**
10:00 a.m.
ALJ Koss
Comr Peevey
C.03-08-030 (TELEPHONIC -PHC) – County of Los Angeles, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Room 5041A, San Francisco
- 1/20/04**
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (PHC) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco
- 1/20/04**
1:00 p.m.
ALJ Koss
Comr Brown
C.03-07-040 (PHC) - City of Anaheim, Complainant, vs. Union Pacific Railroad Company, Defendant,
Commission Courtroom, San Francisco
- 1/21/04**
10:00 a.m.
ALJ McKenzie
Comr Lynch
A.01-06-043 (PHC) - In the Matter of the Application of Pacific Gas and Electric Company (U 39 M) for Approval of Leases to Allow CalPeak Power, LLC to Site Generator Plants on Utility Owned Land Adjacent to Substations, and
A.01-07-031 - Application of Pacific Gas and Electric Company on an Expedited Basis for Exemption under Section 853 for Easements on PG&E Land Allowing Delta Energy Center, LLC to Maintain an Electric Transition Structure for the Delta Project and CPN Pipeline to Maintain Gas Facilities for the Delta Project and the Los Medanos Energy Center Project, or in the Alternative for Approval of Easements under Section 851. (U 39 M),
Commission Courtroom, San Francisco
- 1/21/04**
10:00 a.m.
ALJ Econome
Comr Brown
C.03-11-019 (TELEPHONIC PHC) - Francis J. Belanger, dba J&S Machine, Complainant, vs. Southern California Edison Company, Defendant,
Commission Room 5113, San Francisco
- 1/21/04**
10:00 a.m.
ALJ Reed
C.03-11-024 (ECP) - XO California, Inc., Complainant, vs. Verizon California, Inc., Defendant,
Commission Courtroom, San Francisco
- 1/22/04**
10:00 a.m.
ALJ Patrick
C.03-12-020 (ECP) - Alex Rouell, Complainant, vs. Pacific Bell Telephone Company dba SBC California, Defendant,
Commission Courtroom, San Francisco

- 1/22/04**
10:00 a.m.
ALJ Bushey
Comr Brown
I.03-08-017 (PHC) - Investigation on the Commission's own motion into the fatal accident at the North Street Crossing (MP 220.50) in the City of Selma, Fresno County, on June 6, 2003, and order to show cause why this crossing should not be closed,
Commission Courtroom, San Francisco
- 1/26/04**
10:00 a.m.
ALJ Malcolm
Comr Lynch
A.02-07-050 (EH) - In the Matter of the Application of SBC Pacific Bell Telephone Company (U 1001 C), a corporation, for Authority to Categorize Local DA Service as a Category III Service,
Commission Courtroom, San Francisco
(January 27 – 30 and February 2 – 3)
- 1/26/04**
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco
(also January 27 – 30 and February 2 – 6 at 9:00 a.m.)
- 1/27/04**
1:30 p.m.
ALJ Bushey
Comr Wood
A.03-04-025 (PHC) - In the Matter of the Application of San Gabriel Valley Water Company (U 377 W) for Authority to Implement a Low-Income Rate in Its Los Angeles Division in Compliance with Decision 02-10-058 in Application 01-10-028,
Commission Courtroom, San Francisco
- 1/28/04**
5:30 p.m.
ALJ Malcolm
Comr Kennedy
A.03-03-043 (PHC) - In the Matter of the Application of SOUTHERN CALIFORNIA EDISON COMPANY (U 338-E) for a Permit to Construct Electrical Facilities With Voltages Between 50 kV and 200 kV: Viejo System Project,
Mission Viejo City Hall Council Chamber, 200 Civic Center, Mission Viejo, CA
- 1/29/04**
1:00 p.m.
ALJ Patrick
C.03-12-022 (ECP) - Alvin O. Rogers, Complainant, vs. Verizon Wireless, Defendant,
Department of General Services, Building & Property Management – Staff Room, 100 Paseo de San Antonio, Room 106, San Jose, CA
- 2/4/04**
10:00 a.m.
ALJ Thomas
Comr Wood
A.03-10-039 (EH) – Application of Pacific Bell Telephone Company (U 1001 C) d/b/a SBC California for Expedited Dispute Resolution of a Right-of-Way Agreement with Roseville Telephone Company Pursuant to 47 U.S.C. § 224© and Decision 98-10-058,
Commission Courtroom, San Francisco
(also February 5)
- 2/5/04**
10:00 a.m.
ALJ Walwyn
Comr Peevey
R.01-10-024 (SDG & E RFP) (PHC) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,
Commission Courtroom, San Francisco
- 2/9/04**
9:30 a.m.
ALJ Simon
Comr Wood
A.02-01-031 (EH) - Application of the Santa Clara Valley Transportation Authority for an order approving safety appliances to be used at the at-grade crossings of Sunol Street (82D-4.1) and Auzerais Avenue (82D-4.2) by the light rail transit line of the Vasona Light Rail Project in the City of San Jose, County of San Clara,
Commission Courtroom, San Francisco
(Also February 10 –11)
- 2/9/04**
10:00 a.m.
ALJ Malcolm
Comr Lynch
A.03-07-036 (EH) - In the Matter of the Application of California American Water Company (U 210 W) for an order authorizing it to increase its rates for water service in its Los Angeles Division to increase revenues by \$1,354,500 or 7.56% in the year 2004, \$842,100 or 4.86% in the year 2005, and \$1,052,000 or 5.22% in 2006,
Commission Courtroom, San Francisco
(Also February 10 – 11 and February 23 – 24)

- 2/9/04**
10:00 a.m.
ALJ Pulsifer
Comr Kennedy
R.95-04-043 (EH) - Order Instituting Rulemaking on the Commission's Own Motion into Competition for Local Exchange Service, and
I.95-04-044 - Order Instituting Investigation on the Commission's Own Motion into Competition for Local Exchange Service,
Commission Courtroom, San Francisco
(also February 10 – 11, 13 and February 17 – 18))
- 2/9/04**
10:00 a.m.
ALJ Walwyn
Comr Peevey
R.01-10-024 (SDG & E RFP) (EH) - Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development,
Commission Courtroom, San Francisco
(also February 10 – 11, 13 and February 17 – 20)
- 2/10/04**
9:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (EH) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
- 2/17/04**
10:00 a.m.
ALJ Thomas
Comr Brown
C.03-07-031 (EH) - Pacific Gas and Electric Company (U 39 G), Complainant, v. Calpine Corporation; CPN Pipeline Company; Calpine Energy Services, L.P., Calpine Natural Gas Company; Lodi Gas Storage, LLC; and Does 1-10, Defendants,
Commission Courtroom, San Francisco
(also February 18 – 20 and February 23 – 25)
- 2/18/04**
2:00 p.m.
ALJ Barnett
Comr Wood
C.01-01-032 (PHC) - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant, and
C.01-01-051 - Aps Energy Services Company, Inc., Complainant, vs. Pacific Gas And Electric Company, Defendant, and
C.01-09-011 - Enron Energy Services, Inc. and Enron Energy Marketing Corp., Complainants, vs. Pacific Gas and Electric Company, Defendant,
Commission Courtroom, San Francisco
- 2/20/04**
12:00 noon
ALJ Barnett
C.03-12-012 (ECP) - Dean B. Lumibao, Complainant, vs. Verizon Wireless, Defendant,
Commission Courtroom, State Office Building, 320 West 4th Street, Suite 500, Los Angeles, CA
- 2/23/04**
10:00 a.m.
ALJ Walker
Comr Brown
C.02-07-044 (EH) – The Utility Consumers' Action Network (UCAN), Complainant, v. Pacific Bell Telephone Company, AOL-Time Warner, Inc., Does 1-100, Defendants,
Commission Courtroom, San Francisco
(also February 24 – 27)
- 2/23/04**
12:00 noon
ALJ Barnett
C.03-11-028 (ECP) - Stephen L. Winke and Andrea J. Schlang, Complainant, vs. Myoma Dunes Mutual Water Company, Defendant,
Palm Springs City Hall – West Conference Room, 3200 E. Tahquitz Canyon Way, Palm Springs, CA

- 2/24/04**
2:00 p.m.
ALJ Barnett
Comr Wood
A.02-05-004 (PHASE 2) (PHC) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
I.02-06-002 - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,
Commission Courtroom, San Francisco
- 3/1/04**
10:00 a.m.
ALJ Barnett
Comr Wood
A.02-05-004 (PHASE 2) (EH) - Application of Southern California Edison Company (U 338-E) For Authority to, Among Other Things, Increase Its Authorized Revenues For Electric Service in 2003, And to Reflect That Increase in Rates, and
I.02-06-002 - Investigation on the Commission's Own Motion into the Rates, Operations, Practices, Service and Facilities of Southern California Edison Company,
Commission Courtroom, San Francisco
(also March 2 - 4; March 8 - 11; and March 15 - 18)
- 3/1/04**
9:00 a.m.
ALJ Vieth
Comr Wood
A.03-10-006 (EH) - In the matter of the Application of the SOUTHERN CALIFORNIA WATER COMPANY (U 133 W) for an order authorizing it to increase rates for water service by \$15,377,000 or 19.34% in 2004; by \$6,642,000 or 6.98% in 2005; and by \$6,629,700 or 6.51% in 2006 in its Metropolitan Service Area,
Commission Courtroom, San Francisco
(also March 2 - 5)
- 3/3/04**
10:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (PHC) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
- 3/18/04**
10:00 a.m.
ALJ Malcolm
Comr Peevey
R.03-10-003 (EH) - Order Instituting Rulemaking to Implement Portions of AB 117 Concerning Community Choice Aggregation,
Commission Courtroom, San Francisco
(also March 19)
- 3/19/04**
10:00 a.m. -
12:00 p.m.
ALJ Thorson
Comr Kennedy
A.03-10-017 (PHC) - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco

- 3/22/04**
3:00 p.m. -
5:00 p.m.
ALJ Thorson
Comr Kennedy
- A.03-10-017 (WS)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Room 5012, San Francisco
- 3/23/04**
9:00 a.m. -
3:00 p.m.
ALJ Thorson
Comr Kennedy
- A.03-10-017 (EH)** - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its South San Francisco District, and
A.03-10-018 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Stockton District, and
A.03-10-019 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Mid-Peninsula District, and
A.03-10-020 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District, and
A.03-10-021 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Bakersfield District, and
A.03-10-031 - Application of California Water Service Company (U 60 W) for an Order Authorizing it to Increase Rates for Water Service in its Salinas District (excluding the service areas of the County Meadows Mutual Water System and the Indian Springs Mutual Water System),
Commission Courtroom, San Francisco
(also March 24 – 26 and March 29 - 30)
- 3/29/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
- I.02-11-040 (EH)** - Order Instituting Investigation into the Gas Market Activities of Southern California Gas Company, San Diego Gas and Electric, Southwest Gas, Pacific Gas and Electric, and Southern California Edison and their impact on the Gas Price Spikes experienced at the California Border from March 2000 through May 2001, and
I.03-02-033 - Order Instituting Investigation Whether San Diego Gas & Electric Company, Southern California Gas Company and Their Holding Company, Sempra Energy, Respondents, Have Complied With Relevant Statutes and Commission Decisions, Pertaining to Respondents' Holding Company Systems and Affiliate Activities,
Commission Courtroom, San Francisco
(also March 30, April 1 - 2; April 5 – 9; April 19 – 23; and April 26 - 30)
- 4/7/04**
11:00 a.m.
ALJ Malcolm
Comr Peevey
- R.03-08-018 (PHC)** - Order Instituting Rulemaking to Review Policies Concerning Intrastate Carrier Access Charges,
Commission Courtroom, San Francisco

- 4/12/04**
9:30 a.m.
ALJ Simon
Comr Kennedy
A.03-01-013 (EH) - Application of the Pasadena Avenue Monterey Road Committee for variance of General Order 143B and authority to explore and enter into negotiations for consideration and implementation pursuant to Public Utilities Code (PUC) §§ 1202, 7604 as a pilot project as permitted by SB 1491, and
A.03-07-049 - Application of the Pasadena Avenue Monterey Road Committee and City of South Pasadena for Variance of General Order 75-C, and
A.03-07-050 - In the Matter of the Application of the City of South Pasadena for Approval of Ordinance 2121 Relating to Limitations of Train Speeds Pursuant to Section 7658 of the California Public Utilities Code,
Commission Courtroom, San Francisco
(also April 13 - 16)
- 4/12/04**
10:00 a.m.
ALJ Fukutome
Comr Peevey
A.03-10-022 (Reasonableness Phase) (EH) - Application of Southern California Edison Company (U 338-E) For Approval of its 2004 Revenue Requirement and Related Estimates Under the Energy Resource Recovery Account (ERRA); And For a Commission Finding that its Procurement-Related and Other Operations were Reasonable for the Record Period September 1, 2001 Through June 30, 2003,
Commission Courtroom, San Francisco
(also April 13 – 16)
- 4/20/04**
9:30 a.m.
ALJ Simon
Comr Brown
C.03-10-030 (EH) - U.S. TelePacific Corp. (U-5721-C), Complainant, vs. Verizon California, Inc. (U-1002-C), Defendant,
Commission Courtroom, San Francisco
- 6/7/04**
10:00 a.m.
ALJ TerKeurst
Comr Lynch
I.00-11-001 (EH) - Order Instituting Investigation into Implementation of Assembly Bill 970 Regarding the Identification of Electric Transmission and Distribution Constraints, Actions to Resolve Those Constraints, and Related Matters Affecting the Reliability of Electric Supply,
Commission Courtroom, San Francisco
(also June 8 – 11 and June 14 – 18)
- 6/14/04**
9:30 a.m.
ALJ Duda
Comr Peevey
R.93-04-003 (Verizon UNE Phase) (EH) - Rulemaking on the Commission's Own Motion to Govern Open Access to Bottleneck Services and Establish A Framework for Network Architecture Development of Dominant Carrier Networks, and
I.93-04-002 - Investigation on the Commission's Own Motion into Open Access and Network Architecture Development of Dominant Carrier Networks,
Commission Courtroom, San Francisco
(also June 15 - 18)
- 7/7/04**
10:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (PHC) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (PHC) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
- 7/12/04**
9:00 a.m.
ALJ Mattson
Comr Kennedy
A.03-09-008 (EH) - In the Matter of the Application of Southern California Gas Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding, and
A.03-09-031 (EH) - In the Matter of the Application of San Diego Gas & Electric Company (U904 G) For Authority to Revise its Rates Effective January 1, 2005, in its Biennial Cost Allocation Proceeding,
Commission Courtroom, San Francisco
(Also July 13 – 16; July 19 – 23; and July 26 – 30)
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NOTICE OF DENIAL OF REQUEST FOR EX PARTE MEETING

*On September 20, 1996, the Commission adopted Resolution ALJ 169 regarding the "Filing of Notice of Denial of Request for Ex Parte Meeting." The resolution implements an interim procedure whereby a party whose written request for an ex parte meeting with a Commissioner has been denied will be allowed to file a notice of such denial. Copies of Resolution ALJ 169 are available from the Commission's Central Files Office at 505 Van Ness Avenue, Room 2002, San Francisco; telephone (415) 703-2045. **Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.***

NONE

NOTICE OF ALL-PARTY MEETINGS (PU Code § 1701.3(c))

NONE

NOTICE OF EX PARTE COMMUNICATIONS

Copies of tendered notices are available in the Central Files Office for review and/or reproduction under existing procedures. They are also available from the filing party who is under the obligation to provide copies of the notice without delay.

12/12/03	A03-07-032	Southern California Edison Company, for Approval of a Power Purchase Agreement under PUHCA Section 32(k) between the Utility and a wholly owned Subsidiary and for Authority to Recover the Costs of such Power Purchase Agreement in Rates.
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Summary: On December 9, 2003, Bruce Foster, Vice President, Regulatory Operations, Southern California Edison Company (SCE), met with Cmmr. Lynch in San Francisco. Also present were Aaron Johnson, advisor to Cmmr. Lynch, and Ann Cohn, Associate General Counsel, Gary Schoonyan, Director, and Tom Burhenn, Manager, Regulatory Operations, SCE. SCE representatives expressed its support for the proposed decision (PD) over the alternate. SCE representatives stated that it was unable and unwilling to acquire Mountainview as a directly-owned asset until the customer base stability and cost recovery issues had been addressed. SCE representatives explained that there were negative consequences to SCE and its customers if Mountainview was not acquired through a Federal Energy Regulatory Commission (FERC)-jurisdictional affiliate. Responding to a concern over FERC making changes to the power purchase agreement, SCE representatives noted that the PD prevents SCE from executing the contract if FERC makes changes that affect rates without getting Commission approval of the changes.

Filer: Southern California Edison Company

Contact: Henry Romero

Phone: (626) 302-4124

Summary: LATE FILED. On December 2, 2003, Mike Hoover, Director, Regulatory Affairs, Southern California Edison Company (SCE), met with David Gamson, advisor to Cmmr. Brown, in San Francisco. Hoover reiterated SCE's position that ratebasing Mountainview was not a viable option going forward and that the Commission should adopt SCE's proposed power purchase agreement.

Filer: Southern California Edison Company

Contact: Henry Romero

Phone: (626) 302-4124

12/15/03	A01-10-011	Pacific Gas and Electric Company (U 39 G), Proposing a Market Structure and Rules for the Northern California Natural Gas Industry for the Period Beginning January 1, 2003 as Required by Commission Decision 01-09-016.
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Summary: On December 10, 2003, Brian Cragg, representing Duke Energy North America, LLC and Duke Energy Trading and Marketing, LLC (collectively, "Duke") spoke with Brian Prusnek, advisor to

Cmmr. Kennedy, on the telephone. Cragg discussed the effects of the backbone-level rate recommended in Cmmr. Peevey's alternate. Cragg noted that the backbone-level rate would have detrimental effect on competition among electric generators, and would put Duke at a competitive disadvantage compared to its direct rivals. Cragg stated that all rates involve some subsidies because of averaging and the role of the Commission is to set rates in the public interest. Cragg also stated that the backbone level rate creates an incentive for existing customers to duplicate PG&E's facilities to connect to the backbone. Cragg described the long-term incentives the backbone-level rate creates regarding the siting of electric generation plants along the backbone and how clustering plants along the backbone would create congestion for electric transmission and would require customers to bear additional costs for upgrades required to move power to the load center.

Filer: Duke Energy North America, LLC and Duke Energy Trading and Marketing, L.L.C.

Contact: Melinda LaJaunie

Phone: (415) 392-7900

12/15/03

R01-10-024

Order Instituting Rulemaking to Establish Policies and Cost Recovery Mechanisms for Generation Procurement and Renewable Resource Development.

Summary: THIS IS AN AUGMENTED NOTICE OF AN EX PARTE COMMUNICATION THAT WAS FILED ON December 15, 2003 AND APPEARED IN THE CALENDAR OF December 15, 2003.

On December 4, 2003, the Green Power Institute sent to ALJ Allen a copy of the email letter addressed to the Joint Parties of the CEERT et al. Reply Brief on Standard Terms and Conditions. A copy of the email is attached to the notice. The letter asks to clarify the Joint Parties Reply Comments regarding the position of the Green Power Institute on the issue of the definition of a REC.

Filer: Green Power Institute

Contact: Gregory Morris

Phone: (510) 644-2700

12/15/03

I02-04-026

Order Instituting Investigation into the ratemaking implications for Pacific Gas and Electric Company (PG&E) pursuant to the Commission's Alternative Plan of Reorganization under Chapter 11 of the Bankruptcy Code for PG&E, in the United States Bankruptcy Court, Northern District of California, San Francisco Division, In re Pacific Gas and Electric Company, Case No. 01-30923 DM.

Summary: LATE FILED. On December 12, 2003, Todd Edmister, Attorney, Legal Division of the Commission, met with Peter Arth, advisor to Pres. Peevey, in San Francisco. Also present were David Gamson, and Peter Hanson, advisors to Cmmr. Brown, Robert Kinoshian, advisor, Paul Clanon, Director of the Energy Division, and Jeanette Lo, for the Commission. Clanon stated that under the Proposed Settlement Agreement (SA), PG&E is to reimburse PG&E Corporation for PG&E Corporation's bankruptcy fees and expenses at shareholder expense. Clanon stated that the SA is silent as to the treatment of 'restricted' cash that becomes unrestricted prior to emergence. Lo explained that actual cash may or many not exceed projections given a number of factors. With regard to the Settlement Plan (SP) assumptions regarding 2003 headroom, Lo stated that the SP contemplated a range of headroom. Clanon stated that PG&E would be creditworthy with the terms of the SA in place. Clanon explained that attempts to line the Regulatory Asset up with individual costs are futile exercises. With respect to the Net Present Value (NPV) Comparison of ratepayer costs, Clanon noted that the NPV of the SA and the Modified SA proposed by Cmmr. Brown, appear roughly equivalent, but the SA allows for a larger immediate rate reduction. With respect to an evidentiary effect at the Bankruptcy Court (BC) of a Commission decision, Edmister noted that any Commission decision would be judicially noticeable. Edmister explained further that in any BC proceedings interpreting and enforcing the SA, the Commission's decision would be parole evidence of the Commission intent in entering the SA.

Filer: Legal Division - Edmister

Contact: Todd Edmister

Phone: (415) 703-4443

Summary: LATE FILED. On December 9, 2003, Robert Cagen representing the Office of Ratepayer Advocates (ORA), met with Cmmr. Lynch in San Francisco. Also present were Truman Burns and Chris Danforth, for the ORA. Cagen discussed ORA's basic disagreement with the proposed decision and

Cmmrs. Peevey and Brown alternates. Cagen explained how the economics of the settlement, which would be approved by those decisions, is unsupported by record evidence, making those decisions appealable to a court. Cagen discussed the capabilities of various parties, including ORA, to appeal and stated that the litigation would likely continue if the Commission approved the PD, Peevey alternate, or Brown alternate. Burns and Danforth discussed technical errors in Cmmr. Lynch's alternate.

Filer: Office of Ratepayer Advocates - Cagen

Contact: Robert C. Cagen

Phone: (415) 703-2197

Summary: On December 11, 2003, Dan Richard, Senior Vice President, Pacific Gas and Electric Company (PG&E), met with Cmmr. Wood in San Francisco. Also present were Bill Julian, Manuel Ramirez and Steve Weissman, advisors to Cmmr. Wood, and Gordon Smith, President and Chief Executive Officer, and Robert Glynn, Chairman and Chief Executive Officer, for PG&E. Written material (attached to the notice) was used. Glynn, Smith and Richard discussed the proposed rate settlement urged that the Commission adopt the settlement.

Filer: Pacific Gas and Electric Company

Contact: Sandra Ciach

Phone: (415) 973-7572

Summary: AUGMENTATION REQUIRED. On December 11, 2003, Larry Engel, Special Counsel for the City of Palo Alto (City), met with Cmmr. Wood. Also present were Steven Weissman and Bill Julian, advisors to Cmmr. Wood, Grant Kolling, Assistant City Attorney, and Susie Berlin, attorney for the Northern California Power Agency (NCPA) and Special Counsel for City. Written materials (attached to the notice) were used. Engel explained the interplay between the Commission's proceeding and the Bankruptcy Court (BC), including the lack of evidence before the BC regarding the Commission's deliberative process in this proceeding. Engel also pointed out portions of the proposed settlement agreement (PSA) that are inconsistent with the Settlement Plan before the BC. The representatives for the City and NCPA explained that the Commission's Decision is not one of the documents to be reviewed or approved by the BC, that such decision is not part of the Confirmation Order, and that the Confirmation Order will prevail over all other documents once the BC acts. The representatives of the City expressed concern that all of the alternates before the Commission would be subject to legal challenge due to the fact that they contain unlawful provisions, and that any order from the BC that incorporated the PSA would also be subject to further challenge.

Filer: City of Palo Alto and Northern California Power Agency

Contact: C. Susie Berlin

Phone: (408) 558-0950

Summary: LATE FILED. AUGMENTATION REQUIRED. On December 9, 2003, Larry Engel of Morgan, Lewis & Bockius, Special Counsel for the City of Palo Alto (City), met with Karl Bemdesderfer, advisor to Cmmr. Kennedy. Also present was Susie Berlin of McCarthy & Berlin, Special Counsel for the City. Engel explained the significance of the relationship between the proceedings at the Commission and the Federal Bankruptcy Court, particularly with regard to the extent to which the record being developed by the Commission would be available to the Bankruptcy Court. The representatives of the City expressed concern that the Peevey, Brown, and Wood alternates would be subject to legal challenge due to the fact that they contain unlawful provisions, particularly with regard to binding future Commissions and the waiver of the Commission's police powers. Engel and Berlin explained that any order from the Bankruptcy Court that incorporated the proposed settlement agreement (PSA) would also be subject to further legal challenge. Berlin and Engel raised concerns regarding the number of provisions in the PSA that were ambiguous and subject to varied interpretation, all of which would, under the terms of the PSA, be determined in the Bankruptcy Court, and not before the Commission, as several of the proposed alternates conclude.

Filer: City of Palo Alto

Contact: C. Susie Berlin

Phone: (408) 558-0950

RESOLUTION REGARDING RATIFICATION OF PRELIMINARY DETERMINATIONS OF CATEGORY

For purposes of Rule 63.2(c), notice of the assignment is the day the assignments associated with this preliminary categorization document appear in the Daily Calendar following the Commission business meeting.

12/18/03 ALJ 176-3125 Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure. (See also Rule 63.2(c) regarding notice of assignment.)
Adopted. The preliminary determination schedule is shown below.

PRELIMINARY DETERMINATION SCHEDULES

Resolution ALJ 176-3125 (12/18/03)

ASSIGNMENTS

NUMBER TITLE	PROPOSED CATEGORY	PRELIM. CATEGORY	HEARING	COMR	ALJ
A03-11-026 EVERCOM SYSTEMS, INC., for a Certificate of Public Convenience and Necessity to provide Switchless Resale of Interexchange Telecommunications Services within the State of California.	Ratesetting	Ratesetting	NO	Kennedy	O'Donnell
A03-11-027 SOUTHERN CALIFORNIA EDISON COMPANY, SPRINT COMMUNICATIONS COMPANY, (U 338-E), for Authority to Lease Certain Optical Fibers to Sprint Communications Company, LP, a Limited partnership organized in the State of Delaware	Ratesetting	Ratesetting	NO	Peevey	Walker
A03-12-004 CHINA TELECOM CORPORATION, for a certificate of public convenience and necessity to provide limited facilities-based and resold competitive	Ratesetting	Ratesetting	NO	Kennedy	O'Donnell

local exchange and interexchange service.					
A03-12-005 ALTRIO COMMUNICATIONS, INC., for a certificate of public convenience and necessity to provide facilities-based competitive local exchange and intraLATA service in Arcadia, Sierra Madre, Monrovia and certain parts of Los Angeles County (Altadena, Kinneloa, Chapman Woods, La Cresenta/Montrose and South Monrovia unincorporated areas.	Ratesetting	Ratesetting	NO	Kennedy	O'Donnell
A03-12-006 SOUTHERN CALIFORNIA EDISON COMPANY, for authority to lease available land located on the Center-Del Amo transmission right of way to CT Storage-Bellflower, LLC.	Ratesetting	Ratesetting	NO	Brown	Econome
A03-12-007 SOUTHERN CALIFORNIA EDISON COMPANY, for authority to lease available land located on the Barre-Ellis transmission right of way to Huntington Center Associates, LLC.	Ratesetting	Ratesetting	NO	Brown	Vieth
A03-12-008 CALIFORNIA WATER SERVICE COMPANY, for an order authorizing treatment of net proceeds from real property sales as subject to Public Utilities Code Section	Ratesetting	Ratesetting	YES	Kennedy	Galvin

790 and for establishment of memorandum accounts to record net sales proceeds.					
A03-12-010 SAN DIEGO GAS & ELECTRIC COMPANY, (U 902-E), for a finding of prudence regarding its Power Procurement Activities, and for approval of expenses recorded to the Electric Resource Recovery Account (Public Version).	Ratesetting	Ratesetting	YES	Peevey	Galvin
A03-12-013 YOONOS, MOHAMMAD, to transfer its passenger stage authority (PSC-14336) to Discount Shuttle L.L.C. and to request authority to extend its service area to include San Diego Airport, Palm Springs Airport, and the counties of San Diego and Ventura.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A03-12-014 ANTELOPE VALLEY BUS, INC., CUSA CC, LLC, dba AIRPORT BUS OF BAKERSFIELD/ANTELOPE VALL, for approval of the transfer of the operating authority held by Transferor in passenger stage corporation certificates 1166 and/or 639 from Transferor to Transferee, pursuant to the provisions of Public Utilities Code Sections 851 et seq.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A03-12-015 PACIFIC GAS AND	Ratesetting	Ratesetting	NO	Kennedy	Koss

ELECTRIC COMPANY, for authorization pursuant to Public Utilities Code Section 851 to grant easements for installation, operation maintenance and use of domestic water wells.					
A03-12-016 SAN DIEGO GAS & ELECTRIC COMPANY, for a permit to construct the Mira Sorrento Substation.	Ratesetting	Ratesetting	YES	Wood	Simon
A03-12-017 SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT (BART), for an order authorizing construction of an elevated structure crossing above BART tracks and the tracks of the Union Pacific Oakland Subdivision and Niles Subdivision.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A03-12-018 GERRY LABUDDE, SLEEPY HOLLOW ACRES, INC., dba WEIMAR WATER COMPANY, to sell and Gerry LaBudde to buy the water system in Placer County.	Ratesetting	Ratesetting	NO	Not Assigned	Jackson
A03-12-019 GREAT AMERICAN STAGELINE, INC., SANTA BARBARA AIRBUS, Application to sell and transfer ownership of operating authority in PSC-962 from Great American Stageline, Inc. to Santa Barbara Airbus, Inc.	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark
A03-12-021 ALAMEDA	Ratesetting	Ratesetting	NO	Not Assigned	Examiner Clark

CORRIDOR - EAST CONSTRUCTION AUTHORITY, for an order authorizing elimination of two existing at-grade crossings through construction of a grade separated crossing (roadway underpass) at Ramona Boulevard, under Union Pacific Railroad Company's Alhambra Subdivision main line and Southern California Regional Rail Authority's San Gabriel Subdivision main line, in the City of El Monte, County of Los Angeles.					
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